

AMENDMENTS TO THE CLAIMS

1.-93. (cancelled)

94. (previously presented) A method for providing payroll access to an employee through a third party upon demand by said employee, the method comprising:

receiving an electronic request for said payroll access against wages of said employee, wherein said request is made from said employee to said third party who is not an employer of said employee, wherein said wages have been earned by said employee but not yet paid to said employee by said employer, and wherein said payroll access is upon demand and does not require a predetermined scheduling of said payroll access;

authorizing a distribution of payroll by the third party based upon said electronic request;

automatically distributing said payroll distribution to said employee; and

deducting an amount corresponding to said payroll distribution from a future wage payment to said employee.

95. (previously presented) The method of claim 94, wherein said electronic request is initiated by said employee at an automated teller machine and authorization for said payroll distribution is forwarded to said automated teller machine.

96. (previously presented) The method of claim 94, wherein said electronic request is initiated by said employee via at least one of:

- (i) the internet;
- (ii) a telephone; and
- (iii) an automated telephone system.

97.-98. (cancelled)

99. (previously presented) The method of claim 94, wherein said authorizing said payroll distribution comprises using at least one of (i) a personal identification number, (ii) a biometric identification, (iii) a password, (iv) an electronic key, (v) a signature verification, and (vi) a photo identification to authenticate said employee.

100. (previously presented) The method of claim 94, wherein said payroll distribution is performed using a payroll access resource.

101. (previously presented) The method of claim 100, wherein said payroll access resource is one of: (i) a bank account, (ii) a credit account, (iii) a secondary payroll access account, (iv) a shared account, (v) a trust account, (vi) a temporary account, (vii) a savings account, and (viii) a checking account.

102. (previously presented) The method of claim 100, wherein the payroll access resource is an account holding party selected from the group consisting of: the employer, a bank, a credit union, and a third-party financial institution.

103. (previously presented) The method of claim 94, wherein said authorizing comprises determining an amount of money available through said payroll access.

104. (previously presented) The method of claim 103, wherein said determining an amount of money available through said payroll access is determined before said distribution.

105. (previously presented) The method of claim 94, wherein said authorizing comprises charging a transaction fee to said employee.

106. (previously presented) The method of claim 94, wherein said automatically distributing said payroll distribution comprises charging a transaction fee to said employee.

107. (previously presented) A method of providing an employee payroll access to funds that have been earned by an employee but not paid to said employee by an employer and without requiring a predetermined scheduling of said payroll access, the method comprising:

receiving an electronic request from said employee for said payroll access against wages of said employee, wherein said request is made from said employee to a third party who is not an employer of said employee, wherein said wages have been earned by said employee but have not yet been paid to said employee by said employer, wherein said payroll access is upon demand by said employee and does not require a predetermined scheduling of said payroll access, and wherein said request originates from an automated teller machine and is transmitted over a computer network;

authorizing a distribution of payroll funds by said third party without restrictions of said third party and based upon said wages;

distributing an amount of said payroll funds to said employee through said automated teller machine; and

deducting said amount of said payroll funds distributed through said automated teller machine from a future wage payment to said employee.

108. (previously presented) The method of claim 107, further comprising deducting a transaction fee from a future wage payment to said employee.

109. (cancelled)

110. (previously presented) The method of claim 108, wherein the amount of said transaction fee is based upon at least one of: (i) a percentage of the amount of said advance, (ii) an annual membership fee, (iii) a flat fee, (iv) a monthly service fee, and (v) a fixed fee for a certain number of payroll advance requests within a given time period.

111.-112. (cancelled)

113. (previously presented) The method of claim 107, wherein said request is authenticated using at least one of: (i) a personal identification number, (ii) a biometric identification, (iii) a password, (iv) an electronic key, (v) a signature verification, and (vi) a photo identification.

114. (previously presented) The method of claim 107, wherein said payroll access is provided through a payroll access resource.

115. (previously presented) The method of claim 114, wherein said payroll access resource is an account owned by at least one of: (i) an employer, (ii) a bank, (iii) a credit union, and (iv) a third party financial institution.

116. (previously presented) The method of claim 107, wherein said amount of said funds is limited to a predetermined amount prior to said distributing said amount of said funds, based upon at least one of: (i) relative risk of non-payment, (ii) amount of transaction fees, (iii) employment history of said employee, (iv) number of hours worked for the current pay period, (v) probable hours worked for the current pay period, and (vi) a number of prior payroll advance requests by said employee.

117. (previously presented) The method of claim 107, wherein a party completing said authorizing step or said distributing step charges said employee in advance of said distributing step for the right to submit a predetermined number of said requests.

118. (previously presented) A method for providing a payroll advance to an employee upon demand by said employee without requiring a predetermined scheduling of said payroll access, the method comprising:

receiving a request from said employee for said payroll advance against wages of said employee, wherein said request is made from said employee to a third party who is not an employer of said employee, wherein said wages have been earned by said employee but have not yet been paid to said employee, and wherein said payroll advance is upon demand by said employee and does not require a predetermined scheduling of said payroll access;

authorizing a distribution of payroll by the third party based upon said request; automatically distributing said payroll distribution to said employee; and deducting an amount corresponding to said payroll distribution from a future wage payment to said employee.

119. (new) A method for providing payroll access to an employee through a third party upon demand by said employee, the method comprising:

receiving an electronic request for said payroll access against wages of said employee, wherein said request is made from said employee to said third party who is not an employer of said employee;

verifying that wages have been earned by said employee in an amount at least equal to said request for said payroll access by the time of said request;

authorizing a payroll distribution by the third party based upon said electronic request;

automatically distributing said payroll distribution to said employee; and deducting an amount corresponding to said payroll distribution from a future wage payment to said employee.

120. (new) The method of claim 119, wherein verifying that wages have been earned by said employee comprises verifying that wages have been earned by said employee in an amount at least equal to said request plus a transaction fee.

121. (new) The method of claim 119, wherein verifying that wages have been earned by said employee comprises verifying that said request is less than a selected percentage under one hundred percent of said wages that have been earned by said employee.

122. (new) The method of claim 119, wherein said selected percentage is seventy-five percent.

123. (new) The method of claim 119, wherein verifying that wages have been earned by said employee comprises determining the number of hours worked by said employee in a current pay period prior to said receiving said electronic request.

124. (new) The method of claim 119, wherein verifying that wages have been earned by said employee comprises determining the number of days worked by said employee in a current pay period prior to said receiving said electronic request.

125. (new) The method of claim 119, wherein verifying that wages have been earned by said employee comprises tracking and storing the hours worked by said employee and periodically updating the total wages earned to date for a given pay period.

126. (new) A method for providing access to pay and wages already earned to an employee before a designated pay day through a third party upon demand by said employee, the method comprising:

receiving an electronic request for payroll distribution against wages of said employee, wherein said request is made from said employee to said third party who is not an employer of said employee;

verifying that wages have been already earned by said employee before said request in an amount exceeding said request for said payroll distribution;

authorizing said payroll distribution by the third party based upon said electronic request;

automatically distributing said payroll distribution to said employee; and deducting an amount corresponding to said payroll distribution from a next future wage payment to said employee.

127. (new) The method of claim 126, wherein verifying that wages have been earned by said employee comprises verifying that wages have been earned by said employee in an amount at least equal to said request plus a transaction fee.

128. (new) The method of claim 126, wherein verifying that wages have been earned by said employee comprises verifying that said request is less than a selected percentage under one hundred percent of said wages that have been earned by said employee.

129. (new) The method of claim 126, wherein said selected percentage is seventy-five percent.

130. (new) The method of claim 126, wherein verifying that wages have been earned by said employee comprises determining the number of hours worked by said employee in a current pay period prior to said receiving said electronic request.

131. (new) The method of claim 126, wherein verifying that wages have been earned by said employee comprises determining the number of days worked by said employee in a current pay period prior to said receiving said electronic request.

132. (new) The method of claim 126, wherein verifying that wages have been earned by said employee comprises tracking and storing the hours worked by said employee and periodically updating the total wages earned to date for a given pay period.

133. (new) A method for providing access to pay and wages earned by an employee to said employee before a designated pay day through a third party and upon demand by said employee, the method comprising:

receiving an electronic request for payroll access against wages of said employee, wherein said request is made from said employee to said third party who is not an employer of said employee;

verifying that wages have been already earned by said employee before said request in an amount at least equal to a sum of said request for said payroll access and a transaction fee for processing said request;

authorizing a payroll distribution by the third party based upon said electronic request;

automatically distributing said payroll distribution to said employee and said transaction fee to said third party; and

deducting an amount corresponding to said payroll distribution and said transaction fee from a future wage payment to said employee on said designated pay day.

134. (new) The method of claim 133, wherein verifying that wages have been earned by said employee comprises verifying that wages have been earned by said employee in an amount exceeding said sum of said request and said transaction fee.

135. (new) The method of claim 133, wherein verifying that wages have been earned by said employee comprises verifying that said request is less than a selected percentage under one hundred percent of said wages that have been earned by said employee before said request.

136. (new) The method of claim 133, wherein said selected percentage is seventy-five percent.

137. (new) The method of claim 133, wherein verifying that wages have been earned by said employee comprises determining the number of hours worked by said employee in a current pay period prior to said receiving said electronic request.

138. (new) The method of claim 133, wherein verifying that wages have been earned by said employee comprises determining the number of days worked by said employee in a current pay period prior to said receiving said electronic request.

139. (new) The method of claim 133, wherein verifying that wages have been earned by said employee comprises tracking and storing the hours worked by said employee and periodically updating the total wages earned to date for a given pay period.

140. (new) The method of claim 133, wherein said payroll distribution is performed from a primary payroll access resource to a secondary payroll access resource.

141. (new) The method of claim 140, wherein the primary payroll access resource comprises a master account of the third party and a sub-account of the employee, wherein automatically distributing said payroll distribution to said employee comprises automatically transferring funds from said master account to said sub-account.

142. (new) A method for providing access to pay and wages earned by an employee to said employee before a designated pay day through a third party and upon demand by said employee, the method comprising:

receiving an electronic request for payroll access against wages of said employee, wherein said request is made from said employee to said third party who is not an employer of said employee;

verifying that wages have been already earned by said employee before said request in an amount at least equal to a sum of said request for said payroll access and a transaction fee for processing said request, comprising determining one of the number of days and the number of hours worked by said employee in a current pay period prior to said receiving said electronic request;

authorizing a payroll distribution by the third party based upon said electronic request;

automatically distributing said payroll distribution to said employee and said transaction fee to said third party; and

deducting an amount corresponding to said payroll distribution and said transaction fee from a wage payment to said employee on said designated pay day.

143. (new) The method of claim 142, wherein verifying that wages have been earned by said employee comprises verifying that wages have been earned by said employee in an amount exceeding said sum of said request and said transaction fee.

144. (new) The method of claim 133, wherein verifying that wages have been earned by said employee comprises verifying that the sum of said request and said transaction fee is less

than a selected percentage under one hundred percent of said wages that have been earned by said employee before said request.

145. (new) The method of claim 133, wherein said selected percentage is seventy-five percent.

146. (new) The method of claim 133, wherein verifying that wages have been earned by said employee comprises determining the number of hours worked by said employee in a current pay period prior to said receiving said electronic request.

147. (new) The method of claim 133, wherein verifying that wages have been earned by said employee comprises determining the number of days worked by said employee in a current pay period prior to said receiving said electronic request.

148. (new) The method of claim 133, wherein verifying that wages have been earned by said employee comprises tracking and storing the hours worked by said employee and periodically updating the total wages earned to date for a given pay period.

149. (new) The method of claim 133, wherein said payroll distribution is performed from a primary payroll access resource to a secondary payroll access resource.

150. (new) The method of claim 140, wherein the primary payroll access resource comprises a master account of the third party and a sub-account of the employee, wherein

automatically distributing said payroll distribution to said employee comprises automatically transferring funds from said master account to said sub-account.